

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

AMENDED AND RESTATED² ORDER GRANTING FIVE HUNDRED TWENTY-NINTH OMNIBUS
OBJECTION (SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO TO DUPLICATE AND NO
LIABILITY BOND CLAIMS

Upon the *Five Hundred Twenty-Ninth Omnibus Objection (Substantive) of the
Commonwealth of Puerto Rico to Duplicate and No Liability Bond Claims* (the “Five Hundred

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² This Order amends and restates the *Order Granting Five Hundred Twenty-Ninth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Duplicate and No Liability Bond Claims* (Docket Entry No. 23731) to include certain clarifying language that the Oversight Board agreed to insert to the proposed order at the request of a claimant. (See Docket Entry No. 23555.)

Twenty-Ninth Omnibus Objection”)³ filed by the Commonwealth of Puerto Rico (the “Commonwealth”), dated September 16, 2022, for entry of an order disallowing in their entirety certain claims filed against the Commonwealth, as more fully set forth in the Five Hundred Twenty-Ninth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Five Hundred Twenty-Ninth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA Section 306(a); and venue being proper pursuant to PROMESA Section 307(a); and due and proper notice of the Five Hundred Twenty-Ninth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the Court having determined that the claims identified in Exhibit A to the Five Hundred Twenty-Ninth Omnibus Objection (the “Claims to Be Disallowed”) seek recovery of amounts for which the Commonwealth is not liable; and the Court having determined that the relief sought in the Five Hundred Twenty-Ninth Omnibus Objection is in the best interest of the Commonwealth and its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Five Hundred Twenty-Ninth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Five Hundred Twenty-Ninth Omnibus Objection is SUSTAINED as set forth herein; and it is further

ORDERED that the Claims to Be Disallowed are hereby disallowed in their entirety; *provided that*, the disallowance of any Claims to Be Disallowed filed by any holder (a “CW/HTA Claimholder”) of claims for amounts owed by the Commonwealth under or on account

³ Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Five Hundred Twenty-Ninth Omnibus Objection.

of the bonds issued by HTA (the “CW/HTA Claims”) shall not prejudice or otherwise affect (i) the allowance of the CW/HTA Claims under Section 2.2 of the Plan (such allowed claims, the “Allowed CW/HTA Claims”), (ii) any CW/HTA Claimholder’s right to its *pro rata* share of the Allowed CW/HTA Claims based on its holdings of bonds issued by HTA, or (iii) any CW/HTA Claimholder’s right to distributions under the Plan on account of its *pro rata* share of the Allowed CW/HTA Claims; and it is further

ORDERED that Kroll is authorized and directed to designate the Claims to Be Disallowed as expunged on the official claims register in the Title III Case; and it is further

ORDERED that this Order resolves Docket Entry No. 22262 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: March 23, 2023

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge